

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TESLA, INC.,  
Plaintiff,

v.

PROCEPTION, INC., et al.,  
Defendants.

Case No. 25-cv-04963-SVK

**ORDER SETTING BRIEFING  
SCHEDULE**

Re: Dkt. Nos. 14, 15, 16, 32

Before the Court are several motions filed by Plaintiff Tesla, Inc. (“Tesla”): a Motion for Preliminary Injunction, (Dkt. 14, “PI Motion”); a Motion for Expedited Discovery, (Dkt. 15); and an Administrative Motion to Shorten Time for Plaintiff’s Motion for Expedited Discovery, (Dkt. 16, “Motion to Shorten time”). Defendants Proception, Inc. and Zhongji Jay Li (collectively, “Defendants”) have opposed the Motion to Shorten Time, (Dkt. 30), and Tesla has filed an Administrative Motion for Leave to File a Reply as to the Motion to Shorten Time, (Dkt. 32). With these motions pending, and having considered the Parties’ submissions and the relevant law, the Court sets the following briefing schedule and **ORDERS** as follows:

- **PI Motion:** The Court agrees with Defendants that, even on an expedited schedule, discovery responses would not be due until after the deadline for Tesla’s reply and thus would be of no aid to this Court. To further the interests of judicial efficiency, and to allow sufficient time for the Parties and the Court to address the motion for expedited discovery and, if granted, the fruits of discovery, the Court **suspends briefing** of the PI Motion pending resolution of the Motion for Expedited Discovery or further order of this Court.
- **Administrative Motion for Leave:** “Unless otherwise ordered, a Motion for Administrative Relief is deemed submitted for immediate determination without

hearing on the day after the opposition is due.” Civ. L.R. 7-11(c). Ordinarily, no reply is provided for. *See id.* In the analogous sur-reply context, this District permits supplementary material only when a new and relevant judicial opinion is published or when responding to new evidence. Civ. L.R. 7-3(d). Tesla’s proffered reply seeks to: (1) distinguish assertedly “inapposite case law” cited by Defendants and (2) present, for context, facts omitted from the opposition. Dkt. 32. at 2. Guided by the Local Rules, this Court will accept and consider only the latter part of Tesla’s proffered reply (Dkt. 32-1, § II(b) and Dkt. 32-3). Tesla’s Motion for Leave is thus **GRANTED IN PART** and **DENIED IN PART**.

- **Motion to Shorten Time and Briefing for Expedited Discovery:** “The district court has considerable latitude in managing the parties’ motion practice....” *Hiramanek v. Clark*, No. 13-cv-00228-RMW, 2016 WL 11033962, at \*1 (N.D. Cal. Mar. 29, 2016). Contrary to Defendants’ position, the Court does not agree that shortening the time for briefing and argument of the Motion for Expedited Discovery will prejudice Defendants. *Contra* Dkt. 30 at 8. Tesla has sought to shorten the period for Defendants to respond to the Motion for Expedited discovery by only one day and shortens its own reply period by five days. *See* Dkt. 16-3 at 2. In the interests of judicial efficiency and fairness the Parties, the Court **sets the following schedule** for the Motion for Expedited Discovery:
  - Defendants’ Opposition due: **June 30, 2025 by 12:00pm Noon.**
  - Tesla’s Reply due: **July 2, 2025 by 12:00pm Noon.**
  - Hearing: **July 3, 2025 at 9:30am via remote videoconference.**

**SO ORDERED.**

Dated: June 26, 2025

  
 SUSAN VAN KEULEN  
 United States Magistrate Judge